

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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| UNITED STATES OF AMERICA | : | AMENDED FINAL |
| | : | ORDER OF FORFEITURE |
| -v.- | : | <u>AS TO CERTAIN ASSETS</u> |
| | : | |
| GERY SHALON, | : | S1 15 Cr. 333 (LTS) |
| a/k/a “Garri Shalelashvili, | : | |
| a/k/a “Gabriel” | : | |
| a/k/a “Gabi” | : | |
| a/k/a “Phillipe Mousset” | : | |
| a/k/a “Christopher Engeham,” | : | |
| | : | |
| Defendant. | : | |
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WHEREAS, on or about March 25, 2021, the Court entered a Consent Preliminary Order of Forfeiture as to Specific Property/Money Judgment (the “Preliminary Order of Forfeiture”) (D.E. 178), imposing a forfeiture money judgment in the amount of \$413,721,087.00 and ordering the forfeiture to the United States of all right, title and interest of GERY SHALON (the “Defendant”) in various assets, including, *inter alia*, the following specific property:

- a. Any and all funds in Account Number GE16CR0000000019963612 in the name of Option Ground Ltd at JSC Cartu Bank;
- b. Any and all funds in Account Number GE84CR0000000016663612 in the name of Aliner Ltd at JSC Cartu Bank;
- c. Any and all funds in Account Number GE24CR0000000019383602 in the name of Direct Finance Ltd., at JSC Cartu;
- d. Any and all funds in Account Number GE56CR0000000011953602 in the name of Dyna International Holding Ltd, at JSC Cartu Bank;
- e. Any and all funds in Account Number GE45TB7007730366100014 in the name of Gery Shalelashvili, at JSC TBC Bank; and
- f. Any and all funds in Account Number GE27TB7272645061700001, in the name of Robert Shalelashvili, at JSC TBC Bank;

(a. through f., collectively, the “Subject Property”);

WHEREAS, the Preliminary Order of Forfeiture directed the United States to publish, for at least thirty (30) consecutive days, notice of the Preliminary Order of Forfeiture, notice of the United States' intent to dispose of the Subject Property, and the requirement that any person asserting a legal interest in the Subject Property must file a petition with the Court in accordance with the requirements of Title 21, United States Code, Sections 853(n)(2) and (3). Pursuant to Section 853(n)(2), the United States could, to the extent practicable, provide direct written notice to any person known to have an alleged interest in the Subject Property and as a substitute for published notice as to those persons so notified;

WHEREAS, the provisions of Title 21, United State Code, Section 853(n)(1), Rule 32.2(b)(6) of the Federal Rules of Criminal Procedure, and Rules G(4)(a)(iv)(C) and G(5)(a)(ii) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, require publication of a notice of forfeiture and of the Government's intent to dispose of the Subject Property before the United States can have clear title to the Subject Property;

WHEREAS, the Notice of Forfeiture and the intent of the United States to dispose of the Subject Property was posted on an official government internet site (www.forfeiture.gov) beginning on April 19, 2021 for thirty (30) consecutive days, through May18, 2021, pursuant to Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty and Maritime Claims and Asset Forfeiture Actions and proof of such publication was filed with the Clerk of the Court on November 15, 2021 (D.E. 209);

WHEREAS, thirty (30) days have expired since final publication of the Notice of Forfeiture and no petitions or claims to contest the forfeiture of the Subject Property have been filed;

WHEREAS, the Defendant is the only person and/or entity known by the Government to have a potential interest in the Subject Property;

WHEREAS, pursuant to Title 21, United States Code, Section 853(n)(7), the United States shall have clear title to any forfeited property if no petitions for a hearing to contest the forfeiture have been filed within thirty (30) days of final publication of notice of forfeiture as set forth in Title 21, United States Code, Section 853(n)(2);

WHEREAS, on or about November 15, 2021, the Court entered a Final Order of Forfeiture (the “Final Order of Forfeiture” (D.E. 212)) intending to forfeit the Subject Property to the United States;

WHEREAS, the Subject Property as defined herein was inaccurately described in the Final Order of Forfeiture, in that a digit was missing from each account number (the “Incorrectly Described Accounts”);

WHEREAS, the Government seeks to correct the Final Order of Forfeiture to accurately describe the Subject Property and vacate the Final Order of Forfeiture with respect solely to the Incorrectly Described Accounts; and

WHEREAS, pursuant to Rule 36 of the Federal Rules of Criminal Procedure, “the court may at any time correct a clerical error in a judgment, order, or other part of the record[.]”

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. All right, title and interest in the Subject Property is hereby forfeited and vested in the United States of America, and shall be disposed of according to law.

2. Pursuant to Title 21, United States Code, Section 853(n)(7) the United States of America shall and is hereby deemed to have clear title to the Subject Property.

3. United States Department of Treasury (or its designee) shall take possession of the Subject Property and dispose of the same according to law, in accordance with Title 21, United States Code, Section 853(h).

4. The Final Order of Forfeiture is amended only as to the Subject Property and should in all other respects remain unchanged and fully incorporated herein.

Dated: New York, New York
____ March 24 , 2023

SO ORDERED:

/s/Laura Taylor Swain

HONORABLE LAURA TAYLOR SWAIN
CHIEF UNITED STATES DISTRICT JUDGE